

ROBERT L. ARLEO, ESQ.

380 Lexington Avenue
17th Floor
New York, N.Y. 10168

Telephone: (212) 551-1115
Email: r.arleo@verizon.net

Fax: (518) 751-1801

April 11, 2013

Honorable Vera M. Scanlon
United States Magistrate Judge, USDC
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201
Via ECF

Re: *Bey v. Rubin & Rothman, LLC*
12-CV-03790

Dear Magistrate Judge Scanlon:

I am counsel for the Defendant named in the above-entitled action.

As Your Honor may recall, the Complaint alleges violations of the Fair Debt Collection Practices Act (FDCPA). The allegations all stem from Plaintiff's claim that the Defendant did not comply with his written request for verification of an alleged personal debt as required by 15 U.S.C. sec. 1692g(a)(4). However, the Defendant received the Plaintiff's verification request letter on September 6, 2011 and promptly responded thereto in writing dated September 7, 2011. A copy of said verification letter is attached as Exhibit "A" to the Defendant's Answer (Dkt. No. 7).

I submit the herein correspondence as a letter motion to extend a certain deadline which Your Honor set at the initial conference which occurred on February 26, 2013. Specifically, Your Honor ordered that "Defendant must produce the three categories of contested Capital One and account note documents on or before 4/12/2013." After reviewing the Order it was not clear to me as to which documents were requested by Plaintiff's counsel at the initial conference. I sent an email to Plaintiff's counsel on March 13, 2013 wherein I stated "So as there is no potential issue please set forth the 3 categories of contested Capital One and account note records you seek." In response thereto Plaintiff's counsel sent an email to me on March 19, 2013 wherein he stated "I don't understand what you mean."

Based upon the fact that I am still unclear as to the documents which Plaintiff's counsel seeks I request that Your Honor grant the Plaintiff an extension of time until April 25, 2013 to comply with Your Honor's Order and/or state why the documents cannot be produced.

I attempted to speak with Plaintiff's counsel today via telephone at 3:52 PM in effect to determine if he will consent to the herein requested extension of time. However, I was unsuccessful in my attempt to speak with Plaintiff's counsel.

The herein requested extension will not affect any other dates which were set by Your Honor.

No previous request for the extension requested herein has been made to date.

Finally, I apologize for not filing the herein letter motion yesterday so as to meet the 48 hour advanced filing time to request an adjournment as set forth in Your Honor's individual rules.

Respectfully submitted,

/ s / *Robert L. Arleo*

Robert L. Arleo

RLA:gra

cc: Ahmad Keshavarz via ECF

